

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LIBERTY MUTUAL INSURANCE COMPANY,
LIBERTY MUTUAL FIRE INSURANCE COMPANY,
LIBERTY INSURANCE CORPORATION, THE FIRST
LIBERTY INSURANCE CORPORATION, LM
INSURANCE CORPORATION, LIBERTY MUTUAL
MID-ATLANTIC INSURANCE COMPANY, LIBERTY
COUNTY MUTUAL INSURANCE COMPANY, AND
LM PROPERTY AND CASUALTY INSURANCE
COMPANY,

**Case No.: 11-cv-5780
(JBW) (RLM)**

Plaintiffs,

-against-

EXCEL IMAGING, P.C.,

-and-

MARK D. FREILICH, M.D.,
FAISAL ABDUS SAMI, M.D.,
TARIQ R. KHAN, M.D.,
PERVEZ IQBAL QURESHI, M.D., a/k/a PERVAIZ
QURESHI, M.D., and
NAIYER IMAM, M.D.

(the "Nominal Owner Defendants")

-and-

AFZAL M. AMANAT,
MOHAMMED SHAFKAT ILAHI,
CLAIMNET L.L.C., and

AMAAR HOLDING INC.,

(the "Management Defendants")

Defendants.

NOTICE OF MOTION

Please take notice that Defendants Excel Imaging, P.C., Faisal Abdus Sami, M.D., Tariq R. Kahn, M.D., Perez Iqbal Qureshi, M.D., a/k/a Pervaiz Qureshi, M.D., Naiyer Imam, M.D., Afzal M. Amanat, Mohammed Shafkat Ilahi, Claimnet L.L.C., and Amaar Holding, Inc. move this Court before Hon. Jack B. Weinstein for an Order pursuant to N.Y. Insurance Law § 5601 and the Federal Arbitration Act to dismiss or stay the action and compel arbitration, and in the alternative, pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b) dismissing the Complaint in its entirety.

The Motion is supported by the attached Memorandum of Law in Support of Defendants' Motion to Dismiss.

Dated: February 3, 2012

s/

Matthew J. Conroy, Esq. (MC 9014)
Maria C. Diglio, Esq. (MD 5650)
*Attorneys for Defendants Excel Imaging, P.C.,
Faisal Abdus Sami, M.D., Tariq R. Kahn, M.D.,
Perez Iqbal Qureshi, M.D., a/k/a Pervaiz Qureshi,
M.D., Naiyer Imam, M.D. Afzal M. Amanat,
Mohammed Shafkat Ilahi, Claimnet L.L.C., and
Amaar Holding, Inc.*
Blodnick, Conroy, Fazio & Diglio, P.C.
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(516) 280-7105

CERTIFICATE OF SERVICE

I, Maria C. Diglio do hereby certify under the pains and penalties of perjury that a true and accurate copy of the foregoing Memorandum of Law was served upon all counsel of record by ECF this 3rd day of February 2012.

/s/ Maria C. Diglio
Maria C. Diglio (MD 5650)